

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

United States of America

Plaintiff,

v.

Case No. 18-20221

Hon. Sean F. Cox

Kenneth Sadler

Defendant.

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**ORDER DENYING SADLER'S MOTION FOR JUDGMENT OF ACQUITTAL**

This matter is currently before the Court on Defendant Kenneth Sadler's Motion for Judgment of Acquittal, pursuant to FED. R. CRIM. P. 29. (Case No. 16-20414, ECF No. 661).<sup>1</sup> The Court previously reserved its decision on this motion and ordered briefings from the parties. (Case No. 16-20414, ECF No. 657). Because the Court concludes that oral argument will not aid the decisional process, the Court will decide the motion on the parties' briefing. E.D. Mich. LCrR 12.1(a); LR 7.1(f)(2).

In considering a motion for judgment of acquittal under Rule 29, this Court must determine whether, after reviewing the evidence in the light most favorable to the prosecution, any rational trier of fact could find the elements of the crime beyond a reasonable doubt. *United States v. Abner*, 35 F.3d 251, 253 (6th Cir. 1994); *United States v. Meyer*, 359 F.3d 820, 826 (6th Cir. 1979). In doing so, the Court does not weigh the evidence, consider the credibility of witnesses, or substitute its judgment for that of the jury. *Id.*

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<sup>1</sup>Although Defendant Sadler's written motion for judgment of acquittal was only filed in Case No. 16-20414, it also addresses the counts charged in Case No. 18-20221. Further, his oral motion for judgment of acquittal included those counts in Case No. 18-20221.

The Sixth Circuit has explained that a defendant claiming insufficiency of the evidence “bears a very heavy burden.” *Abner*, 35 F.3d at 253. On review, all evidence must be construed in a manner most favorable to the Government. Moreover, circumstantial evidence alone is sufficient to sustain a conviction. *Id.*

Having considered Sadler’s motion, and viewing all of the evidence presented at trial in the light most favorable to the prosecution, the Court concludes that a rational trier of fact could find the essential elements of each of the crimes charged, beyond a reasonable doubt.

Accordingly, **IT IS ORDERED** that the motion for judgment of acquittal is **DENIED**.

**IT IS SO ORDERED.**

s/Sean F. Cox

Sean F. Cox

United States District Judge

Dated: April 17, 2019